

**REMARKS**

Reconsideration is requested.

The Examiner's indication that claims 1-19 are allowable is acknowledged.

The Examiner is alleging distinction between the subject matter of Group I directed to claims 19, 39-43, 63-67 and 73-101, drawn to a method of making a semiconductor device, and Group II directed to claims 44-62 and 68-72, drawn to receiving and processing a signal.

Applicants hereby elect Group I (claims 19, 39-43, 63-67 and 73-101) for prosecution on the merits. Applicants reserve the right to file a divisional application directed to the subject matter of the non-elected claims, namely claims 44-62 and 68-72. Claims 44-62 and 68-72 have been cancelled.

Claims 39-43 and 92-96 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description.

Claims 39 and 92 have been amended to remove the "no more than" language to obviate the rejection under 35 U.S.C. §112, first paragraph.

Claims 84 and 97 have been amended, for clarification purposes only, by adding --second-- before "conductive" in the last line to provide a proper antecedent basis. Claims 90 and 91 have been amended, for clarification purposes only, by adding --second-- before "conductive" to provide a proper antecedent basis.

Claims 63-66 and 97-101 stand rejected under 35 U.S.C. §251 as being an improper recapture of broadened claims subject matter surrendered in the application for the patent upon which the present reissue is based. More particularly, the Examiner is stating that claims 63-66 and 97-101 recite limitations which were recited in claims 40-49 of the original application.

Reconsideration is requested.

The recapture doctrine is meant to prevent an applicant from broadening the scope of a reissue claim after being forced to narrow the scope of the claim in the original application. The recapture doctrine is not meant to prevent an applicant from adding limitations to (narrowing) a claim that was cancelled during prosecution of the original application.

In order to reject a claim under 35 U.S.C. §251, the Examiner is required to first perform the analysis of MPEP Section 1412.02. No such analysis has been provided. If such an analysis is performed, it will be apparent that no recapture has taken place.

In MPEP Section 1412.02, there is no discussion of comparing claims to application claims, only to issued patent claims.

Therefore, withdrawal of the rejection under 35 U.S.C. §251 is requested.


A Statement of Status of Claims and Support in accordance with 37 CFR 1.174(c) is attached as a separate paper.

Appl. No. 10/734,072  
Response to 2/9/06 Office Action  
Atty. Dkt. MI40-369

This application is believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

Dated: June 16, 2006

By:   
Deepak Malhotra  
Reg. No. 33,560

*Encl.: Statement of Status of Claims and Support*



EV850817289

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. .... 10/734,072  
Confirmation No. .... 8908  
Filing Date ..... December 10, 2003  
Inventor ..... Mark E. Tuttle et al.  
Patent Number: ..... 6,329,213 B1  
Date Patent Issued: ..... December 11, 2001  
Assignee ..... Micron Technology, Inc.  
Group Art Unit ..... 2891  
Examiner ..... Caridad Everhart  
Customer No. .... 021567  
Attorney Docket No. .... MI40-369  
Title: Methods for Forming Integrated Circuits Within Substrates

To: Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Deepak Malhotra (Tel. 509-624-4276; Fax 509-838-3424)  
Wells St. John P.S.  
601 W. First Avenue, Suite 1300  
Spokane, WA 99201-3828

**STATEMENT OF STATUS OF CLAIMS AND SUPPORT**

Claims 1-18 are from the patent for which a reissue is sought and are now pending.

Claims 19, 39-43, 63-67 and 73-101 are now pending.

Support for claim 19 can be found at least in original claim 1, and in Col. 1, lines 12-16 and 59-61, Col. 2, lines 15-21, and Claims 2-5 and 13-18.

Support for claim 39 can be found at least in Col. 1, lines 12-13, Col. 2, lines 2-5, Col. 3, lines 29-32 and 48-51, Col. 4, lines 10-13 and 44-58, Col. 5, lines 29-32, Col. 6, lines 1-4, and Figs. 1 and 4.

Support for claim 40 can be found at least in Col. 4, lines 10-17 and Fig. 1.

Support for claim 41 can be found at least in Col. 5, lines 4-8 and Fig. 1.

Support for claim 42 can be found at least in Col. 4, lines 10-17 and 49-65; and Col. 5, lines 42-50 and Figs. 1 and 7.

Support for claim 43 can be found at least in Col. 6, lines 1-4; and Col. 5, lines 42-50 and Fig. 7, and Col. 5, lines 42-50 and Fig. 1.

Support for claim 63 can be found at least in Col. 1, lines 12-13, Col. 2, lines 2-5, Col. 3, lines 29-32 and 48-51, Col. 4, lines 10-13 and 44-53, and Col. 7, lines 37-44, 54-57, and Fig. 4.

Support for claim 64 can be found at least in Col. 7, lines 54-57.

Support for claim 65 can be found at least in Col. 4, lines 44-53.

Support for claim 66 can be found at least in Col. 4, lines 10-17.

Support for claim 67 can be found at least in Col. 5, lines 4-8.

Support for claim 73 can be found at least in Col. 1, lines 12-13, Col. 2, lines 2-5, Col. 3, lines 29-32 and 48-51, Col. 4, lines 10-13 and 44-53, Col. 5, lines 29-32, Col. 6, lines 1-4, and Fig. 4, and Col. 5, lines 42-50 and Fig. 7.

Support for claim 74 can be found at least in Col. 4, lines 10-17.

Support for claim 75 can be found at least in Col. 5, lines 4-8.

Support for claim 76 can be found at least in Col. 4, lines 31-35.

Support for claim 77 can be found at least in Col 4, lines 53-55, and Col 6, lines 1-4, and Col. 5, lines 42-50 and Fig. 7.

Support for claim 78 can be found at least in Col. 4, lines 10-17 and 51-65.

Support for claim 79 can be found at least in Col. 4, lines 10-17 and 49-51, and Col. 5, lines 42-50 and Fig. 7.

Support for claim 80 can be found at least in Col. 5, lines 4-8.

Support for claim 81 can be found at least in Col. 4, lines 51-65.

Support for claim 82 can be found at least in Col. 1, lines 12-16, and Col. 6, lines 1-4.

Support for claim 83 can be found at least in Col. 6, lines 1-4.

Support for claim 84 can be found at least in Col. 1, lines 12-13, Col. 2, lines 2-5, Col. 3, lines 29-32 and 48-51, Col. 4, lines 10-13 and 44-65, Col. 5, lines 29-32, and Col. 6, lines 1-4

Support for claim 85 can be found at least in Col. 4, lines 10-17.

Support for claim 86 can be found at least in Col. 5, lines 4-8.

Support for claim 87 can be found at least in Col. 4, lines 44-53.

Support for claim 88 can be found at least in Col. 5, lines 4-8.

Support for claim 89 can be found at least in Fig. 4.

Support for claim 90 can be found at least in Col. 1, lines 12-16, Col. 5, lines 29-32, and Col. 6, lines 1-4.

Support for claim 91 can be found at least in Col. 6, lines 1-4.

Support for claim 92 can be found at least in Col. 1, lines 12-13, Col. 2, lines 2-5, Col. 3, lines 29-32 and 48-51, Col. 4, lines 10-13 and 44-53, Col. 7, lines 37-44 and 54-57, and Fig. 4.

Support for claim 93 can be found at least in Col. 7, lines 54-57, and Col. 7, lines 55-57.

Support for claim 94 can be found at least in Col. 4, lines 44-53, and Col. 7, lines 55-57.

Support for claim 95 can be found at least in Col. 4, lines 10-17.

Support for claim 96 can be found at least in Col. 5, lines 4-8.

Support for claim 97 can be found at least in Col. 1, lines 12-13, Col. 2, lines 2-5, Col. 3, lines 29-32 and 48-51, Col. 4, lines 10-17 and 44-65, Col. 5, lines 4-8 and 29-32, and Col. 6, lines 1-4, and Col. 5, lines 42-50 and Fig. 7.

Support for claim 98 can be found at least in Col. 5, lines 4-8.

Support for claim 99 can be found at least in Col. 4, lines 10-17 and 49-51.

Support for claim 100 can be found at least in Col. 1, lines 12-16, Col. 5, lines 29-32, and Col. 6, lines 1-4.

Appl. No. 10/734,072  
Statement of Status of Claims and Support  
Atty. Dkt. MI40-369

Support for claim 101 can be found at least in Col. 6, lines 1-4.

Respectfully submitted,

Dated: June 16, 2006

By:   
Deepak Malhotra, Reg. No. 33,560